

REMARKS

Status

Claims 1-13 were originally filed with the application. In response to a restriction requirement, claims 1-9 were chosen for continued prosecution. The present amendment cancels claim 2. As such, it is claims 1 and 3-9, as currently amended, which are at issue.

The Rejection

In the Office Action mailed May 15, 2009, claims 1 and 3 were rejected and claims 2 and 4-9 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by Moore III et al. (US 5,733,647). Claim 3 was rejected under 35 U.S.C. §112, second paragraph.

Applicant would like to thank the Examiner for the Office Action and the explanation for the rejection of the claims.

Remarks Directed to the Rejection of Claim 1 under 35 U.S.C. §102(b)

Independent claim 1 has been carefully amended to include the elements of claim 2. As such, Applicant submits that independent claim 1 is no longer anticipated by Moore III et al. and requests that claim 1 and all claims depending thereon be moved towards allowance.

Conclusion

In view of the remarks presented herein, Applicant respectfully submits that claims 1-9 are now in condition for allowance. Any conditions, comments, or suggestions the Examiner may have which would place the application in still better condition for allowance should be directed to the undersigned attorney.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 07-1180.

Dated: 08/14/2009

Respectfully submitted,

By: /Mark A. Harper, Ph.D./

Mark A. Harper, Ph.D.

Registration No.: 60,248

GIFFORD, KRASS, SPRINKLE, ANDERSON
& CITKOWSKI, P.C.

2701 Troy Center Drive, Suite 330

Post Office Box 7021

Troy, Michigan 48007-7021

(248) 647-6000

(248) 647-5210 (Fax)

Attorney for Applicant